

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	Cr. No. 03-10194-MEL
)	
)	Violations:
)	
V.)	21 U.S.C. § 846 -
)	Conspiracy to Possess with
)	Intent to Distribute and
)	to Distribute
1. WILLIAM NAVARRETTE)	Methamphetamine
2. DAMION MARQUEZ)	
3. KEITH PORTER)	
Defendants)	
)	
)	

SUPERSEDING INDICTMENT

COUNT ONE: (Title 21, United States Code, Section 846 --
Conspiracy to Possess With Intent to Distribute
and to Distribute Methamphetamine)

The Grand Jury charges that:

From a date unknown, but no later than in or about November, 2001, to on or about April 10, 2003, at Boston, Massachusetts, and elsewhere in the District of Massachusetts and elsewhere,

2. DAMION MARQUEZ, and
3. KEITH PORTER

defendants herein, knowingly and intentionally combined, conspired, and agreed, with each other and with persons known and unknown to the Grand Jury, to possess with intent to distribute, and to distribute, methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(C).

CRIMINAL FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the offenses alleged in Count One,

2. DAMION MARQUEZ, and

3. KEITH PORTER,

defendants herein, shall forfeit to the United States for its use and benefit any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offenses, and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

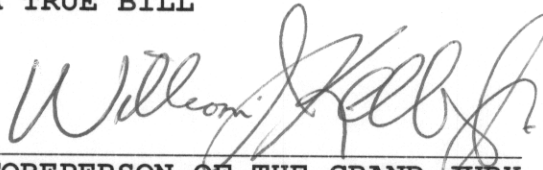
2. If any of the forfeitable property described in paragraph 1 above, as a result of any act or omission of a defendant -

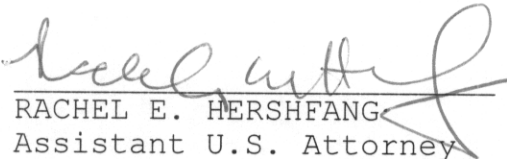
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1 of this paragraph.

All in violation of Title 21, United States Code, Section 853.

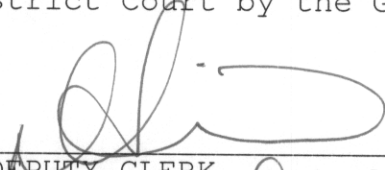
A TRUE BILL


FOREPERSON OF THE GRAND JURY


RACHEL E. HERSHFANG
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS; April 29, 2004.

Returned into the District Court by the Grand Jurors
and filed.


DEPUTY CLERK @ 2:35 pm